



DEPARTMENT OF CITY PLANNING  
CITY OF NEW YORK

ENVIRONMENTAL ASSESSMENT AND REVIEW DIVISION

Marisa Lago, *Director*  
Department of City Planning

January 23, 2020

**NOTICE OF COMPLETION OF  
THE FINAL ENVIRONMENTAL IMPACT STATEMENT**

**Lenox Terrace**

**Project Identification**

CEQR No. 18DCP084M  
ULURP Nos. C 200050ZSM, N 200051ZRM  
C 200052ZMM, N 200053ZAM, C 200054ZSM  
SEQRA Classification: Type I

**Lead Agency**

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Pursuant to City Environmental Quality Review (CEQR), Mayoral Executive Order No. 91 of 1977, CEQR Rules of Procedure of 1991 and the regulations of Article 8 of the State Environmental Conservation Law, State Environmental Quality Review Act (SEQRA) as found in 6 NYCRR Part 617, a Final Environmental Impact Statement (FEIS) has been prepared for the action described below. The proposal involves actions by the City Planning Commission and Council of the City of New York pursuant to the Uniform Land Use Review Procedure (ULURP). Copies of the FEIS are available for public inspection at the office of the undersigned as well as online at the Department of City Planning Website, [www.nyc.gov/planning](http://www.nyc.gov/planning). A public hearing on the Draft EIS (DEIS) was held on December 18, 2019, in conjunction with the City Planning Commission's citywide public hearing pursuant to ULURP. Written comments were requested and received by the Lead Agency until January 6, 2020. Subsequent to the public hearing, in response to comments received during the public review of the project, the applicant amended the proposed rezoning from C6-2 to R8 and R8 with a C1-5 commercial overlay. The applicant also modified the proposed site plan to eliminate the previously proposed six-story base connecting the two new buildings along Lenox Avenue. In conjunction with this change, the existing single driveway between 133rd and 134th Street would be retained, rather than replaced with the two new driveways shown in the DEIS. The FEIS reflects these modifications to the application and incorporates responses to public comments on the DEIS and additional analysis conducted subsequent to the completion of the DEIS.

**A. PROJECT IDENTIFICATION**

The applicant, Lenox Terrace Development Associates—an affiliate of The Olnick Organization, Inc.—is seeking several land use actions (the “proposed actions”) to facilitate construction of five new mixed-use buildings (the “proposed project”) on the existing Lenox Terrace property, a superblock bounded by West 132nd and 135th Streets and Lenox and Fifth Avenues in the Central Harlem neighborhood of Manhattan,

Community District (CD) 10. The new buildings would be constructed on portions of the property that are currently vacant or contain one-story retail structures which would be demolished. The new development would result in approximately 1,642 new dwelling units (DUs), a portion of which would be permanently affordable; approximately 135,500 gross square feet (gsf) of retail space; approximately 15,055 gsf of community facility space; underground parking garages providing a total of 525 parking spaces; and approximately six acres of open space. The affected area comprises the proposed development site (Block 1730, Lots 1, 7, 9, 25, 33, 36, 40, 45, 50, 52, 64, 68, and 75) as well as four additional lots on the project block and within the rezoning area that are not owned or controlled by the applicant (Block 1730, Lot 16, 19, 55, and 65). One of the sites not owned by the applicant but located within the rezoning area is analyzed as a projected future development site (Block 1730, Lot 65); one site is analyzed as a potential development site (Block 1730, Lots 16 and 19); and one site, which is owned by the City, is not analyzed as a potential or projected development site.

The proposed actions include a zoning map amendment from R7-2/C1-4 to R8 and R8 with a C1-5 commercial overlay; a zoning text amendment to establish the affected area as a Mandatory Inclusionary Housing (MIH) area; a large-scale special permit pursuant to Zoning Resolution (ZR) Section 74-743; an authorization pursuant to ZR Section 25-631(f)(2) to modify curb cut requirements under ZR Sections 36-532 and 25-631; and a parking reduction special permit pursuant to ZR Section 74-533(a)(2) (the “proposed actions”). The proposed actions also would include recordation of a Restrictive Declaration and (E) Designation (E-547) to commit future development of the site in accordance with approvals and any necessary mitigations. These proposed actions require review under City Environmental Quality Review (CEQR). CEQR provides a means for decision makers and other government agencies to consider environmental effects, along with other aspects of project planning and design; identify, and mitigate where practicable, any significant adverse environmental impacts; and evaluate reasonable alternatives. The New York City Department of City Planning (DCP), acting on behalf of the New York City Planning Commission (CPC), is the lead agency for the environmental review.

## **B. PROJECT DESCRIPTION AND PURPOSE AND NEED**

### **DESCRIPTION OF THE REZONING AREA**

#### *PROPOSED DEVELOPMENT SITE*

The proposed development site is located on the superblock bounded by West 132nd and 135th Streets and Lenox and Fifth Avenues in the Central Harlem neighborhood of Manhattan (Block 1730, Lots 1, 7, 9, 25, 33, 36, 40, 45, 50, 52, 64, 68, and 75). The proposed development site has frontages on West 132nd Street, West 135th Street, Lenox Avenue, and Fifth Avenue. The proposed development site, located in Manhattan CD 10, is within an R7-2 zoning district, with C1-4 overlays along Lenox and Fifth Avenues and West 135th Street.

The proposed development site currently contains Lenox Terrace, a superblock development comprising six, 16-story (144-foot-tall) residential towers with 1,716 DUs (approximately 1,495,274 gsf); five one-story buildings with approximately 95,655 gsf of local retail use (of which approximately 17,820 gsf is currently vacant), and approximately 457 at-grade accessory parking spaces. Approximately 80 percent of the existing DUs (1,370) are currently subject to rent stabilization. The retail uses along Lenox Avenue include a supermarket, a pharmacy, dry cleaners, and a few restaurants, among other uses. The retail uses along West 135th Street are a supermarket and a pharmacy, while the retail uses along Fifth Avenue are a bank, a deli/grocery, and a thrift store. One of the five one-story buildings, at the southeast corner of the proposed development site, housed retail uses until 2009 but has been vacant since. Two parcels of land at the northwest and southwest corners of the proposed development site are currently vacant and surrounded with chain-link fencing. The parcel at the southwest corner of the proposed development site, just east of Lenox Avenue, was formerly operated as an electrical substation that was decommissioned in 1959 and removed circa 2009. The substation site is extended to the south along West 132nd Street, creating a sidewalk bump-out into the streetbed at this location.

The proposed development site is approximately 539,885 sf, with an existing built floor area ratio (FAR) of approximately 3.0. Lenox Terrace Place is a mapped street that provides access to the interior of the superblock from West 135th Street. Each of the residential buildings has a vehicular drop-off at the main entrance. The residential buildings closest to West 135th Street (10 and 40 West 135th Street) are accessed via two curb cuts on West 135th Street. The residential building fronting on Fifth Avenue (2186 Fifth Avenue) is accessed via two curb cuts on that avenue. The residential buildings closest to West 132nd Street (25 and 45 West 132nd Street) are accessed via three curb cuts on that street. The residential building fronting on Lenox Avenue (470 Lenox Avenue) is accessed via one curb cut on that avenue. The surface parking on the interior of the site is accessed via these curb cuts, as well as two additional curb cuts on West 132nd Street, and there is one curb cut for a loading area on West 132nd Street, for a total of 11 existing curb cuts at the proposed development site. The majority of the parking spaces (387) on the proposed development site are allocated to the existing residential development, per current certificates of occupancy; the remainder (70) are additional accessory spaces. They are not for public parking. Loading areas for the retail uses on the site are accessed from the street in front of each one-story building.

#### *AFFECTED AREA*

Within the rezoning area but outside of the proposed development site is Block 1730, Lot 65 (Projected Development Site), which has been occupied since the 1960s by the Metropolitan African Methodist Episcopal (AME) Church, in the former Lincoln Theater, which was constructed circa 1915. Also within the rezoning area, but outside of the proposed development, are Block 1730, Lots 16 and 19 (Potential Development Site). These lots are occupied by the Joseph P. Kennedy Memorial Community Center, which has operated in that facility since 1954. Prior to 1954, the building was also in community facility use, as the Harlem Boys Club. Block 1730, Lot 55 also is located within the rezoning area but outside of the proposed development site. It is occupied by the Hansborough Recreation Center and owned by the New York City Department of Parks and Recreation (NYC Parks).

The proposed rezoning would increase the maximum allowable FAR on the project block (including Lots 16, 19, 55, and 65), from a maximum existing FAR of 3.44 for residential use (for a height factor development) to a maximum proposed FAR of 7.2 (with MIH). The maximum allowable FAR for community facility and commercial uses would remain unchanged at 6.5 and 2.0, respectively.

#### **DESCRIPTION OF THE SURROUNDING AREA**

Like the rezoning area, the land uses of the surrounding area are primarily residential, but also include commercial and community facility uses. The block to the north of the rezoning area contains two large community facility uses: the Harlem Hospital Center and the P.S. 197 John B Russwurm School. The Howard Bennett Playground is also located on the block north of the rezoning area. The blocks to the northeast of the rezoning area contain the seven apartment buildings of the Riverton Square development. The block to the east of the rezoning area across Fifth Avenue consists of the 14 apartment buildings of the New York City Housing Authority's (NYCHA) Lincoln Houses. The block to the south of the rezoning area consists primarily of 3½-story row houses and 5- and 6-story apartment buildings, several of which fronting Lenox and Fifth Avenues contain ground-floor retail uses. This block also includes two vacant buildings, three parking facilities, and three community facility uses: the Bethel AME Church; the St John's Pentecostal Church; and the Greater Central Baptist Church. The five blocks to the west of the rezoning area from West 131st Street to West 136th Street are also generally residential, consisting of low-scale row houses and apartment buildings as well as a taller 17-story apartment building. Many of these residential buildings fronting Lenox Avenue contain ground-floor retail; there are also several commercial and community facility uses on these blocks. The 17-story Clayton Apartments tower fronting Lenox Avenue between West 134th and West 135th Streets is an exception to the walk-up character of these blocks west of Lenox Avenue. Community facility uses include a transition housing shelter for homeless families, the P.S. 175 Henry H Garnet School, the Schomburg Center for Research in Black Culture, New York City Fire Department (FDNY) Engine 59 and Ladder 30, the Redeemed Christian Church of God House of Prayer, the Grace Gospel Chapel, and the Countee Cullen Library.

## **EAST HARLEM REZONING**

In November 2017, the New York City Council adopted the East Harlem Rezoning Proposal, which was undertaken as a result of the recommendations of the East Harlem Neighborhood Plan (EHNP). The EHNP was a comprehensive, community-focused study aimed at identifying opportunities for new mixed-use housing, the preservation of existing affordable housing, and other initiatives to address key infrastructure, economic development, workforce, and community wellness issues in East Harlem. The project area for the East Harlem Rezoning extends northwards from East 104th Street to the southeast corner of Fifth Avenue and West 132nd street, across the intersection from the Lenox Terrace rezoning area. The rezoning up-zoned several corridors in the East Harlem neighborhood to higher densities, potentially resulting in thousands of new DUs (including large numbers of affordable units) and thousands of square feet of new commercial, community facility, and manufacturing space. The plan is intended to provide new mixed-income housing consistent with the de Blasio administration's housing plans (*Housing New York: A Five-Borough, Ten-Year Plan*; and recently released *Housing New York 2.0*) and to build upon land use and zoning recommendations provided by the EHNP. The EIS accounts for the development projected to occur from this rezoning by the 2023 and 2026 analysis years.

### **C. DESCRIPTION OF THE PROPOSED PROJECT**

#### **PROPOSED DEVELOPMENT SITE**

The proposed actions would result in additional development within the existing Lenox Terrace complex. The proposed actions would facilitate a development proposal by the applicant for five new mixed-use buildings on the perimeter of the proposed development site, replacing existing single-story retail structures. As detailed in **Table 1**, the new buildings would include approximately 1,430,258 gsf of new residential use (approximately 1,642 new DUs, of which between 411 and 493 DUs (25 percent and 30 percent, respectively) are assumed to be designated as permanently affordable pursuant to the MIH program); approximately 135,500 gsf of commercial space (an increase of approximately 39,845 gsf over conditions without the proposed project); and approximately 15,055 gsf of community facility space.

**Table 1  
 Program for Proposed Development Site**

	<b>Residential gsf (Amenity)</b>	<b>DUs (Affordable)</b>	<b>Retail gsf</b>	<b>Community Facility gsf</b>	<b>Parking</b>
<b>Phase I (2023)</b>					
Proposed Building NW	334,913 (18,563)	394 (99-118)	45,350	0	
Proposed Building SW	356,812 (4,385)	420 (105-126)	30,183	0	
Proposed Building NE	238,231 (5,029)	280 (70-84)	19,779	4,966	
<b>Total, Phase I</b>	<b>929,956 (27,977)</b>	<b>1,094 (274-328)<sup>3</sup></b>	<b>95,311</b>	<b>4,966</b>	<b>455-480<sup>1</sup></b>
<b>Phase 2 (2026)</b>					
Proposed Building N	207,853 (2,622)	245 (61-74)	16,877	4,236	
Proposed Building SE	257,890 (3,960)	303 (76-91)	23,312	5,853	
<b>Total, Phase 2</b>	<b>465,743 (6,582)</b>	<b>548 (137-164)</b>	<b>40,189</b>	<b>10,089</b>	<b>36-146</b>
<b>Full Build</b>	<b>1,430,258</b>	<b>1,642 (411-493)<sup>3</sup></b>	<b>135,500</b>	<b>15,055</b>	<b>491-626<sup>2</sup></b>
<b>Notes:</b>					
<sup>1</sup> The proposed project would include between 455 and 480 new garage spaces in Phase 1, and would retain approximately 337 existing surface spaces for a total of between 792 and 817 spaces in Phase 1.					
<sup>2</sup> The proposed project would include between 491 and 626 garage spaces in the Full Build condition, and would retain approximately 34 existing surface spaces for a total of between 525 and 660 spaces at the conclusion of Full Build.					
<sup>3</sup> Totals may not sum due to rounding.					

Two of the proposed new buildings (Proposed Buildings NW and SW) would front onto Lenox Avenue; one would front onto West 135th Street (Proposed Building N); and two would front onto Fifth Avenue (Proposed Buildings NE and SE). The buildings would all be 28 stories tall (approximately 284 feet, including mechanical bulkhead), which is the same height as the mechanical bulkhead at Harlem Hospital Center on the north side of West 135th Street.

Either 25 or 30 percent of the new DUs at the proposed development site would be designated as affordable, in compliance with MIH. Per ZR Section 23-952, an MIH development in an R8 district may be developed under either the alternate height and setback regulations applicable to Quality Housing Buildings or the basic height and setback regulations applicable within R8 districts. In this case, the buildings would be developed under the basic height and setback regulations applicable within R8 districts, with requested special permit modifications to sky exposure planes.

The proposed commercial use is anticipated to include a mix of local and destination retail tenants. Tenants for the proposed community facility space have not yet been identified. Overall, the development on the site would increase from a built FAR of approximately 3.0 (existing conditions) to a built FAR of approximately 5.61 (With Action scenario). The maximum allowable FAR under the proposed zoning is 7.2 for residential use, 6.5 for community facility use, and 2.0 for commercial use; in comparison, under the site's existing zoning, the maximum allowable FAR is 3.44 for a height factor residential development, 6.5 for community facility use, and 2.0 for commercial use.

The proposed project would not utilize the full amount of additional floor area made available on the proposed development site under the proposed zoning. However, the applicant intends to enter into a Restrictive Declaration to establish building envelope, floor area, and other large-scale controls for the proposed project, so the analysis will reflect the conditions of the Restrictive Declaration as the basis for the reasonable worst-case development scenario (RWCDs) for the environmental review.

There are currently 457 at-grade parking spaces on the proposed development site, 387 of which are identified on the Certificates of Occupancy for the existing residential development and thus are deemed to be “required” parking spaces, and 70 of which are additional accessory spaces. Per ZR 25-251, the required number of parking spaces for the new DUs would be between approximately 460 and 492, based on the percentage of units to be designated as affordable. Therefore, the total number of required spaces on the proposed development site would be between approximately 847 and 879. With the proposed project, a portion of the former surface parking area would be redeveloped, reducing at-grade parking to 34 spaces. The proposed project would include between 491 and 626 accessory parking spaces within parking garages below the new buildings. Therefore, with the proposed project, there would be a total of between 525 and 660 accessory parking spaces on the development site, which is less than the required spaces. Consequently, a modification of accessory parking requirements under ZR Sections 36-33 and 25-23 is necessary to reduce the number of required spaces. As the total number of required parking spaces on the proposed development site would be between 847 and 879 (387 spaces allocated to existing units per current Certificates of Occupancy, and between 460 and 492 spaces for proposed units), the applicant is requesting a waiver for a minimum of 187 spaces and a maximum of 354 spaces.

The proposed garages would have access/egress points on West 132nd and West 135th Streets, and would require a new curb cut on West 135th Street. The project also would require two other new curb cuts on West 135th Street, two new curb cuts on the west side and one on the east side of Lenox Terrace Place, and four new curb cuts on West 132nd Street to service loading docks and surface parking areas (three of which would represent shifted locations and/or dimensions of existing curb cuts). One existing curb cut on West 135th Street would be removed. No changes to the curb cuts on Fifth Avenue, or to the street geometry, are proposed.

As noted below, in conjunction with the proposed development the Zoning Resolution (Section 23-151) requires a minimum of approximately 300,000 sf of open space. The amount of required open space is calculated as a percentage of the residential floor area on the zoning lot. As defined in the Zoning Resolution, “open space” must be open and unobstructed from its lowest level to the sky, and accessible to and useable by all residents. The proposed open space is anticipated to serve primarily as a flexible use space for residents, but is also anticipated to provide for active recreation. It is not expected to be consistently open to the general public. The applicant’s intention is to landscape the areas between the surface parking with new trees interlaced with existing mature specimen trees. New pedestrian pathways are envisioned between low walls, creating paths between buildings. The remaining open areas are expected to be programmed for a mix of active and passive recreation.

Construction of the proposed project is anticipated to occur in two phases over a period of approximately 6 years, with Phase 1 expected to be constructed by 2023 and full build out of Phase 2 expected in 2026. The first three of the five buildings (Proposed Buildings NW, SW, and NE) are anticipated to be constructed by approximately 2023. These proposed buildings would comprise approximately 1,053,244 gsf of new development, including approximately 1,094 DUs. The existing single-story commercial structures at 444 and 480 Lenox Avenue and 2196 Fifth Avenue would be demolished to allow for this new development, with construction following. In the second phase of development, to be completed by 2026, the existing single-story commercial structures at 24 West 135th Street and 2160 Fifth Avenue would be demolished and Proposed Buildings N and SE would be constructed. Replacement surface parking would be phased in during the construction timeline. The open space improvements envisioned by the applicant would be developed concurrently with the proposed buildings.

## **PROJECTED FUTURE DEVELOPMENT SITE**

As described above, Lot 65 (the projected future development site) has been occupied since the 1960s by the Metropolitan AME Church. Thus, this lot is occupied by a long-standing institutional use that is not owned or controlled by the applicant. To date, the owner of this lots has not expressed any interest in the sale of their property to the applicant, and no development by the applicant is anticipated to occur on this lot. It was recently reported that the site of the Metropolitan AME Church might be redeveloped with a 30,000 sf residential building, with new space for the church on the ground floor and cellar of the new building. This EIS

considers the potential for the proposed rezoning to result in redevelopment of this lot within the foreseeable future, as described in the “Analysis Framework” section below.

#### **POTENTIAL DEVELOPMENT SITE**

The owner of the Kennedy Center—Catholic Charities of the Archdiocese of New York—has expressed that it has no intention of redeveloping or disposing of the Kennedy Center in the foreseeable future. Therefore, development of this site under the rezoning is unlikely in the foreseeable future, and it will not be included in the density-based impact assessments. In order to provide a conservative analysis, however, consistent with the guidance of the 2014 *CEQR Technical Manual* the property will be considered as a potential development site and a review of site-specific effects will be conducted.

#### **CITY-OWNED SITE**

Given that the Hansborough Recreation Center (Lot 55) is owned by NYC Parks and has been operated as a public recreational facility for over 80 years, redevelopment of this site would require several discretionary actions, including possible State legislative action for parkland alienation. Additionally, per conversations with NYC Parks, there are no plans to relocate this facility. Thus, redevelopment of this lot is not anticipated to occur as a result of the proposed actions.

#### **D. PURPOSE AND NEED**

The actions being sought would facilitate the applicant’s proposal for the renovation and enlargement of the Lenox Terrace housing complex while preserving the original development’s interplay between high-rise structures and accessible open space. The proposed actions would allow for the provision of additional housing units (including additional affordable housing units) in support of the New York City policies mentioned below; facilitate the development of new community facility and retail uses that would improve the quality of ground-floor street-front retail spaces and create a more defined streetwall along Lenox Avenue; improve site circulation and access; and increase open space available to tenants. The proposed development would create more than six acres of outdoor recreation space for tenants. In conjunction with the proposed actions, the applicant also intends to renovate and upgrade elements of the existing buildings. The applicant believes the proposed project would be consistent with the City’s *Housing New York* and *Housing New York 2.0* plans, which together set a goal of building or preserving 300,000 units of high-quality affordable housing in all five boroughs by 2026. In addition to the increase in residential density, the proposed C1-5 commercial overlay would allow for the provision of a variety of local retail uses, on the proposed development site. The large-scale special permit would allow for relief from height, setback, and other bulk regulations while capping overall development at 5.61 FAR and restricting commercial development beyond the limited retail development discussed here.

The applicant believes that the proposed actions would allow for the new buildings to be designed in such a way as to provide as much light, air, and distance as possible relative to the existing Lenox Terrace residential buildings. Specifically, the proposed actions would allow for the new buildings to be situated as far away as possible from the existing residential buildings. In addition, by situating the new construction at the corners of the site, it is the applicant’s intention that the proposed project would minimize effects on views from existing DUs. Furthermore, the majority of new construction would take the place of existing one-story commercial buildings, allowing for the maintenance of unbuilt-upon areas at the site and the conversion of such areas from predominantly parking to predominantly usable open space.

The applicant believes the proposed modification to reduce parking regulations would be appropriate to reflect usage patterns in this transit-rich area and would be consistent with the City’s Zoning for Quality and Affordability initiative, which exempts affordable housing units from parking requirements.

## **E. DISCRETIONARY ACTIONS AND OTHER APPROVALS**

The following actions are being sought to facilitate the proposed project:

- a zoning map amendment to rezone the entire project block (Block 1730), which is bounded by West 132nd and 135th Streets and Lenox and Fifth Avenues, from R7-2 with C1-4 overlays along Lenox and Fifth Avenues and West 135th Street to R8 and an R8 with a C1-5 commercial overlay;
- a large-scale special permit pursuant to ZR Section 74-743(a)(2) to modify applicable height and setback regulations (ZR Sections 35-61, 35-63, 23-952, and 23-641);
- an authorization pursuant to ZR Section 25-631(f)(2) to modify curb cut requirements under ZR Sections 36-532 and 25-631 at the proposed development site; and
- a special permit pursuant to ZR Section 74-533 to reduce the number of required parking spaces provided on site (ZR Sections 36-33 and 25-23).

The proposed project would require modification of regulations regarding the amount of accessory parking and the sky exposure plane. The required number of parking spaces for the new DUs would be between approximately 460 and 492, based on the percentage of units to be designated as affordable. To facilitate the applicant's proposed project, the proposed modification of accessory parking requirements is necessary to reduce the number of required spaces on the proposed development site from between approximately 847 and 879 (including the 387 parking spaces allocated to existing DUs per current Certificates of Occupancy, as well as between approximately 460 and 492 spaces required for proposed units) to between 525 and 660 spaces.

The applicant is also seeking a zoning text amendment to Appendix F of the ZR to establish a MIH area coterminous with the rezoning area. Under MIH, when new housing capacity is approved through land use actions, CPC and the New York City Council can choose to impose either one or both of these two basic options:

- MIH Option 1: 25 percent of the total residential floor area would be set aside for persons making an average of 60 percent of Area Median Income (AMI), with 10 percent set aside for households making an average of 40 percent of the AMI; or
- MIH Option 2: 30 percent of the total residential floor area would be set aside for households making an average of 80 percent of the AMI.

These options are included in the project's ULURP application. The CPC and the City Council could also add one or both of two other affordability options:

- MIH Deep Affordability Option: 20 percent of the residential floor area would be set aside for households making an average of 40 percent of AMI, with subsidies allowed only where they are necessary to support more affordable housing; and
- MIH Workforce Option: 30 percent of the total residential floor area would be set aside for households making an average of 115 percent of AMI, with 5 percent of that number set aside for households at 70 percent of AMI and another 5 percent of that number set aside for households at 90 percent of AMI. None of the affordable DUs can go to households with incomes above 135 percent of AMI, and no direct subsidies can be used for these affordable DUs.

For purposes of environmental review, the EIS assumes the more conservative MIH option specific to that analysis (i.e., the option that generates the greatest potential for significant adverse environmental impacts). For those analysis categories which specify level of affordability (e.g., child care), the analysis will assume 20 percent of the residential units would be set aside for households with incomes at or below 80 percent of the AMI.

## **RESTRICTIVE DECLARATION**

The applicant is expected to enter into a Restrictive Declaration to reflect the approvals described above. The Restrictive Declaration would run with the land and would require that the proposed project is developed in substantial conformance with the approved large-scale special permit, which would restrict the uses within



buildings on the proposed development site to what is shown on the site plan associated with the special permit; establish the envelope within which the buildings must be constructed, including limitations on height, bulk, and floor area; establish the required setbacks and distance between buildings; and establish open areas on the site where buildings are not permitted. It is currently anticipated that the maximum floor area would be 3,076,087 sf (including the existing buildings); the maximum floor area for the proposed residential, retail, and community facility uses would be as detailed in **Table 1** above; and the maximum building height would be 284 feet. The Restrictive Declaration also will establish any environmental mitigation conditions as necessary, as identified through the environmental review for the project. It is anticipated that environmental mitigations related to open space, shadows, historic resources and construction will be incorporated into the Restrictive Declaration. The Restrictive Declaration would also restrict the project's FAR and building heights to those shown on the approved large-scale special permit drawings. Development pursuant to the underlying zoning at greater than the proposed maximum FAR and building heights approved as part of the large-scale special permit would be restricted by the Restrictive Declaration and would require CPC approval.

The Restrictive Declaration would not extend to the lots on the project block not controlled by the applicant, specifically the lot owned by the NYC Parks (Lot 55), the lots owned by Catholic Charities of the Archdiocese of New York (Lots 16 and 19), or the lot on the project block that is analyzed as a projected future development site (Lot 65).

## **E DESIGNATION**

As described above, the proposed actions would also include recordation of an (E) Designation (E-547) related to hazardous materials, air quality and noise, to commit future development of the rezoning area in accordance with any necessary conditions identified through the environmental review.

## **F. ANALYSIS FRAMEWORK FOR ENVIRONMENTAL REVIEW**

The *CEQR Technical Manual* serves as a general guide on the methodologies and impact criteria for evaluating the proposed actions' potential effects on the various environmental areas of analysis. In disclosing impacts, the EIS considers the proposed actions' potential adverse impacts on its environmental setting. A future build year of 2026 when the proposed project is anticipated to be completed, with an interim build year of 2023 for the first phase of development, is examined to assess the potential impacts of the proposed actions. Consequently, the environmental setting is not the current environment, but the future environment. Therefore, the technical analyses and consideration of alternatives include descriptions of existing conditions, conditions in the future without the proposed project (the "No Action" scenario), and conditions in the With Action scenario. The incremental difference between the No Action and With Action scenarios is analyzed to determine the potential environmental effects of the proposed actions.

## **BUILD YEAR**

The applicant plans to construct the proposed project in two phases, with completion anticipated in 2026. A future build year of 2026 is examined to assess the potential impacts of the proposed actions. An interim build year of 2023 is examined to assess the potential impacts of the first phase of development, which is assumed to include the southwest and northwest towers facing Lenox Avenue (Proposed Buildings NW and SW) as well as the northeast tower facing Fifth Avenue (Proposed Building NE) (see **Table 2**). The open space improvements envisioned by the applicant would be developed concurrently with the proposed buildings, and the development of new parking spaces would be phased so that there is no reduction in parking between phases. While there is no approved development proposal for the projected future development site, it is assumed that it would be developed pursuant to the proposed rezoning by the 2026 build year.

## **NO ACTION SCENARIO**

For the purposes of a conservative analysis, it is assumed that the rezoning area would continue in its current condition in the No Action scenario (both 2026 and 2023), with the exception that portion of currently vacant retail space on the proposed development site would likely be re-tenanted depending upon market conditions. As detailed above, while it has been reported that the Metropolitan AME Church could be redeveloped independent

of the proposed actions, the No Action scenario will assume that the projected future development site would continue in its current condition. No Build projects anticipated to be complete by 2026 in the study areas are considered in the various technical analyses presented in this EIS.

## **WITH ACTION SCENARIO**

### *PROPOSED DEVELOPMENT SITE*

In the With Action scenario, five mixed-use buildings and a connecting podium comprising approximately 1,580,813 gsf of development would be constructed on the proposed development site, replacing the existing one-story retail structures. See **Table 1** above for the program for the proposed development site, and **Table 2** below for a comparison of the No Action and With Action scenarios. As described above, for those analysis categories which specify level of affordability (e.g., child care), the analysis assumes 20 percent of the residential units would be set aside for households with incomes at or below 80 percent of the AMI. As described above, the proposed project would not utilize the full amount of additional floor area made available under the proposed zoning. With the proposed project, the proposed development site would have a built FAR of approximately 5.61 compared to a maximum allowable residential FAR of 7.2. The applicant intends to enter into a Restrictive Declaration to establish building envelope, floor area, and other large-scale controls for the proposed project, so the analysis reflects the conditions of the Restrictive Declaration as the basis for the RWCDs.

**Table 2**  
**Comparison of No Action and With Action Scenarios**

Use (gsf)	Existing Condition	No Action Scenario (2023/2026)	With Action Scenario (Phase 1—2023)	With Action Scenario (Full Build—2026)	No Action-With Action Increment (Phase 1 2023)	No Action-With Action Increment (Full Build 2026)
<b>Proposed Development Site</b>						
Use Group 2 (Residential)	1,495,274 gsf	1,495,274 gsf	2,453,207 gsf	2,925,532 gsf	±957,933 gsf	±1,430,258 gsf
DUs	1,716	1,716	2,810	3,358	±1,094 <sup>1</sup>	±1,642 <sup>2</sup>
Affordable Unit Count	1,370 <sup>3</sup>	1,370 <sup>3</sup>	1,644-1,698 <sup>3</sup>	1,781-1,863 <sup>3</sup>	±274-328	±411-493
Use Group 6 (Retail)	77,835 gsf <sup>4</sup>	95,655 gsf <sup>5</sup>	95,311 gsf new 33,700 gsf existing 129,011 gsf total	135,500 gsf new 0 gsf existing 135,500 gsf total	±33,356 gsf	±39,845 gsf
Community Facility	0 <sup>6</sup>	0	04,966 gsf	15,055 gsf	±4,966 gsf	±15,055 gsf
Accessory Parking	0 new 457 <sup>7</sup> existing 457 total	0 new 457 <sup>7</sup> existing 457 total	455-480 <sup>8</sup> new 337 <sup>7</sup> interim 792-817 total	491-626 <sup>8</sup> new 34 <sup>7</sup> existing 525-660 total	335-360	±68-203
<b>Total gsf (Proposed Development Site only)</b>	<b>1,573,109 gsf</b>	<b>1,590,929 gsf</b>	<b>2,587,184 gsf</b>	<b>3,076,087 gsf</b>	<b>±996,255 gsf</b>	<b>±1,485,158 gsf</b>
<b>Projected Future Development Site (Lot 65)<sup>9</sup></b>						
Use Group 2 (Residential)	0	0	0	±58,500 gsf	0	±58,500 gsf
DUs	0	0	0	±69	0	±69
Affordable Unit Count	0	0	0	±21	0	±21
Community Facility	6,968 gsf	6,968 gsf	6,968 gsf	6,968 gsf <sup>10</sup>	0	0
Accessory Parking	0	0	0	19	0	±19
<b>Total Square Footage</b>				<b>65,468 gsf</b>		<b>58,500 gsf</b>
Approx. Bldg. Height				145'		
<b>Potential Development Site (Lots 16 and 19)</b>						
Community Facility	34,616 gsf	34,616 gsf	34,616 gsf	34,616 gsf	0	0
Accessory Parking	21	21	21	21	0	0
Approx. Bldg. Height				215'		
<b>City-Owned Site (Lot 55)</b>						
Community Facility	31,475 gsf	31,475 gsf	31,475 gsf	31,475 gsf	0	0
<b>Totals for Rezoning Area</b>						
Use Group 2 (Residential)	1,495,274 gsf	1,495,274 gsf	2,453,207 gsf	2,984,032 gsf	±957,933 gsf	±1,488,758 gsf
DUs	1,716	1,716	2,810	3,427	±1,094	±1,711
Affordable Unit Count	1,370 <sup>3</sup>	1,370 <sup>3</sup>	1,644-1,698	1,665-1,719	±295-349	±431-514
Use Group 6 (Retail)	77,835 gsf <sup>4</sup>	95,655 gsf <sup>5</sup>	95,311 gsf new 33,700 gsf existing 129,011 gsf total	135,500 gsf new 0 gsf existing 135,500 gsf total	±33,356 gsf	±39,845 gsf
Community Facility	73,059 gsf	73,059 gsf	78,025 gsf	15,055 gsf new 73,059 gsf existing 88,114 total	±4,966 gsf	±15,055 gsf
Accessory Parking	0 new 478 <sup>7</sup> existing 478 total	0 new 478 <sup>7</sup> existing 478 total	455-480 <sup>8</sup> new 337 <sup>7</sup> interim 21 <sup>7</sup> existing 813-838 total	510-645 <sup>8</sup> new 55 <sup>7</sup> existing 565-700 total	335-360	±87-222
<b>Total gsf (Rezoning Area)</b>	<b>1,646,168</b>	<b>1,633,988</b>	<b>2,660,243</b>	<b>3,207,646</b>	<b>996,255</b>	<b>1,543,658</b>
<b>Notes:</b>						
Totals may not sum due to rounding.						
<sup>1</sup> For the purposes of determining the number of Phase 1 units to be analyzed, 27,977 gsf of amenity space was subtracted from this total.						
<sup>2</sup> For the purposes of determining the number of total proposed units to be analyzed, 34,559 gsf of amenity space was subtracted from this total.						
<sup>3</sup> Rent-stabilized units.						
<sup>4</sup> Existing Use Group 6 (retail) estimate does not include approximately 17,820 gsf of vacant storefront space, or below-grade retail storage space.						
<sup>5</sup> Assumes that all currently vacant retail space would be re-tenanted in No Action scenario.						
<sup>6</sup> Per existing CofOs. Current tenancy includes some medical offices.						
<sup>7</sup> At-grade						
<sup>8</sup> Below-grade						
<sup>9</sup> Assumes 4 percent mechanical space addition over zsf for gsf total						
<sup>10</sup> Assumes replacement facility for existing community facility use as part of new development.						

Although proposed as-of-right conditions would allow for a maximum FAR of 7.2 for residential use under the proposed zoning, the special permit would control the project's bulk and consequentially, would cap the maximum allowable FAR at 5.61. Furthermore, in the event the special permit expires or is ceded, the presence of existing buildings and other site constraints and zoning regulations would preclude the full 7.2 FAR from being developed for residential use. Specifically, the existing six residential buildings could not be demolished or significantly altered due to rent regulations that apply to the majority of apartments. As such, the approximately 2.3 million sf of additional residential development theoretically available for development pursuant to the rezoning would need to be massed on the remainder of the site with no height and setback relief. In addition, more than 1,000 parking spaces would need to be provided for existing and new DUs. While zoning regulations would permit the development of some buildings as-of-right under the rezoning, sufficient lot area does not exist to mass a 7.2 FAR development (which would contain approximately 2.3 million sf of new development) along with the requisite 1,000+ parking spaces that would be needed.

Given the above considerations, the RWCDs used for environmental review assumes a maximum FAR of 5.61. Furthermore, a minimum of approximately 300,000 sf of space, qualifying as open space as defined in the Zoning Resolution, would be required pursuant to the special permit. The design of the open space will be at the discretion of the applicant, provided it meets the zoning definition of open space.

#### *PROJECTED FUTURE DEVELOPMENT SITE*

As described above, for the purposes of a conservative analysis, the EIS considers the potential future development of Lot 65 with a mixed-use building (continuation of existing community facility use with residential above), fully utilizing the maximum FAR allowable under the proposed rezoning. In total, Lot 65 could be developed with approximately 69 new DUs and 6,968 gsf community facility use (replacement facility for existing church). It is assumed that up to 30 percent of the DUs (21 units) could be designated as affordable and that any development on the projected future development site would not occur until the latter build year (2026).

#### *POTENTIAL DEVELOPMENT SITE*

Development of this site—the Kennedy Center site—under the rezoning is unlikely in the foreseeable future, and thus this site will not be included in density-related impact assessments. Site-specific impacts—such as potential noise impacts from development, and the possible presence of hazardous materials—relate to individual site conditions and are not dependent on the density of projected development. Therefore, a review of potential site-specific impacts is provided to provide a conservative analysis.

#### *CITY-OWNED SITE*

The existing use on Lot 55—the Hansborough Recreational Center—is assumed to remain in the With Action scenario.

#### *INCREMENT OF ANALYSIS*

In total, the incremental development that is assumed to occur within the rezoning area in the With Action scenario by 2026 is as follows: 1,488,758 gsf of residential use, or approximately 1,711 DUs (431 to 514 of which are assumed to be affordable pursuant to MIH); 39,844 gsf of retail use; 15,056 gsf of community facility space; and up to 222 accessory parking spaces.

## **G. PRINCIPAL CONCLUSIONS OF ENVIRONMENTAL ANALYSES**

### **LAND USE, ZONING, AND PUBLIC POLICY**

The analysis concludes that the proposed actions would not have a significant adverse impact on land use, zoning, or public policy. The proposed actions would not adversely affect surrounding land uses, nor would the proposed actions generate land uses that would be incompatible with land uses, zoning, or public policy within the ¼-mile study area.

The proposed actions would facilitate the construction of five new, predominantly residential buildings with ground-floor retail and a connecting podium on the existing Lenox Terrace property. The proposed project would introduce a total of approximately 1,642 new DUs on the Lenox Terrace site, of which approximately 411 to 493 DUs would be permanently affordable under the MIH program. It would also introduce approximately 135,500 gsf of retail space (an increase of approximately 39,845 gsf over No Action scenario), and approximately 15,055 gsf of community facility space on the proposed development site. The proposed zoning would increase the density of the proposed development site through the addition of buildings whose bulk is comparable to other buildings within the study area, in particular the Harlem Hospital Center across West 135th Street from the proposed development site. The proposed actions also would allow for the provision of increased affordable housing to the area.

The proposed actions would facilitate development on one projected future development site (Block 1730, Lot 65), which could be developed with a mixed-use building containing up to approximately 69 new DUs and approximately 6,968 gsf of community facility use (replacement facility for existing church). The proposed and projected residential, commercial, and community facility uses would be comparable to existing and planned

developments in Central Harlem, and would directly support several major City policies aimed at increasing the supply of affordable housing in New York City. The proposed actions would facilitate mixed-use development in an area well-served by mass transit.

The change in the proposed zoning and the modification in the site plan did not alter the development program considered in the EIS. The proposed C1-5 commercial overlay would be more restrictive in terms of allowable use groups than the analyzed C6-2 district, and would not permit commercial uses above the ground floor when there would be residential use above. Therefore, the change in the proposed zoning and the modification to the site plan would not result in any significant adverse impacts to land use, zoning or public policy.

## **SOCIOECONOMIC CONDITIONS**

The analysis finds that the proposed actions would not result in significant adverse impacts due to changes in socioeconomic conditions.

### *DIRECT RESIDENTIAL DISPLACEMENT*

A screening-level assessment concluded that the proposed actions would not result in significant adverse socioeconomic impacts due to direct residential displacement. The proposed actions would not directly displace any residents from the existing Lenox Terrace buildings within the rezoning area, or from any other locations within the rezoning area.

### *DIRECT BUSINESS DISPLACEMENT*

A preliminary assessment concluded that the proposed actions would not result in significant adverse socioeconomic impacts due to direct business displacement. Development generated by the proposed actions would directly displace 19 businesses employing an estimated 234 workers. The 19 businesses that would be directly displaced under the RWCDs are located on Lenox Avenue between West 132nd Street and West 135th Street, and at the southwest corner of Fifth Avenue and West 135th Street. They include 12 retail businesses, 4 food service businesses, a bank, a dry cleaner, and an optometrist's office. The 19 businesses do not represent a majority of study area employment for any given industry sector. While all businesses contribute to neighborhood character and provide value to the City's economy, because there are alternative, comparable sources of goods and services within reasonable walking distance, the potentially displaced businesses are not of critical value to the socioeconomic conditions of the area as defined by CEQR. Two potentially-displaced businesses—an Associated Food and Fine Fare—are medium-format local grocery stores within the boundaries of the City's Food Retail Expansion to Support Health (FRESH) Program. The FRESH Program provides zoning and/or financial incentives as a way to promote the establishment and retention of neighborhood grocery stores. As local grocery stores within the boundaries of the FRESH Program, the Associated Food and Fine Fare are the subject of plans or programs to preserve, enhance, or protect them; however, neither of the stores has applied for certification as a FRESH food store and as such neither utilizes the tax or zoning benefits available to them through the FRESH Program. Furthermore, there are numerous additional sources of healthy fresh produce and food products located within close proximity of the proposed rezoning area. In addition, the proposed actions would result in 135,500 gsf of new retail space and an estimated 407 new retail workers, which is 39,845 gsf more retail space and 251 more retail workers than the amount displaced. With the proposed actions, it is expected that comparable goods and services would be available to study area residents and a net increase in retail space and associated employment opportunities would be available for rent by potential new businesses as well as those businesses directly displaced. With respect to grocery stores, it is the applicant's desire to include one or more food stores in the proposed project's retail mix as warranted based on consumer demand and market conditions.

In addition to the businesses along Lenox Avenue and at the corner of Fifth Avenue and West 135th Street described above, there is one community facility use located on the projected future development site—the Metropolitan AME Church. While the proposed project would not directly displace this use, under the proposed actions' RWCDs it is conservatively assumed that the property owner of this parcel would redevelop the site, and the current use would be temporarily displaced until new space for the use on the site becomes available. The

temporary displacement of this community facility is not considered a significant adverse impact because there are alternative sources of comparable services available within close proximity to the rezoning area, and because there are no regulations or publicly adopted plans to preserve, enhance, or otherwise protect it.

#### *INDIRECT RESIDENTIAL DISPLACEMENT*

A preliminary assessment concluded that the proposed actions would not result in significant adverse impacts due to indirect residential displacement. The concern under CEQR in regard to indirect residential displacement is whether a project would result in substantial new development that is markedly different from existing uses, development, and activities within the neighborhood that may lead to indirect residential displacement. The proposed actions would result in an estimated increment of 1,711 DUs above the No Action scenario and a net increase of approximately 4,004 residents.

According to the *CEQR Technical Manual*, socioeconomic changes could result if a proposed project would introduce a new population with average household incomes that exceed the average incomes of the study area households. While the proposed actions could add new population with a higher average household income as compared with existing study area households, the proposed project would not directly displace existing tenants, and the proposed actions would not result in socioeconomic changes that would alter the residential market in a manner that would lead to project-generated rent pressures. There is already a readily observable trend toward higher incomes and new residential development in the study area. According to the 2012–2016 American Community Survey (ACS), average and median gross rents have been increasing in the study area since 2000. In particular, the study area gross rents increased at significantly greater rates than that of Manhattan and New York City. Based on the *CEQR Technical Manual*, if the vast majority of the study area has already experienced a readily observable trend toward increasing rents and new market rate development, further analysis is not necessary.

#### *INDIRECT BUSINESS DISPLACEMENT*

A preliminary assessment concluded that the proposed actions would not result in significant adverse impacts due to indirect business displacement. The proposed actions would facilitate the introduction of new residential, commercial, and community facility uses. The rezoning area and broader socioeconomic study area have well-established residential and retail markets such that the proposed actions would not be introducing substantial new economic activities to the rezoning area, nor would it add to the concentration of a particular sector of the local economy enough to alter or accelerate an ongoing trend or to alter existing patterns. Based on the *CEQR Technical Manual*, projects resulting in less than 200,000 gsf of commercial development would typically not result in significant socioeconomic impacts. The proposed actions would not directly displace uses that provide substantial direct support for businesses in the area or that bring people into the area that form a substantial portion of the customer base for local businesses. It is also possible that some directly displaced businesses could tenant the new retail space resulting from the proposed actions, which is greater than the amount currently in the rezoning area. The proposed actions would generate new employment opportunities, and create new retail opportunities to meet the needs of local workers, residents, and visitors, while the new residential population would increase consumer demand for goods and services at existing and new retail businesses.

#### *ADVERSE EFFECTS ON SPECIFIC INDUSTRIES*

A preliminary assessment concluded that the proposed actions would not result in significant adverse impacts due to adverse effects on specific industries. An analysis is warranted under *CEQR Technical Manual* methodology if a substantial number of residents or workers depend on the goods or services provided by the affected businesses, or if a project would result in the loss or substantial diminishment of a particularly important product or service within the industry. The proposed actions would not significantly affect the business conditions in any industry or any category of business within or outside the study area. The proposed actions would not result in significant indirect business displacement, and therefore would not indirectly substantially reduce employment or have an impact on the economic viability in any specific industry or category of business.

## **COMMUNITY FACILITIES**

A detailed analysis of public schools, libraries, and child care facilities concluded that the proposed actions would not have significant adverse effects on these community facilities. The proposed actions would not physically displace or alter any community facility and thus would not have a direct effect on any community facilities. The proposed actions do not meet the *CEQR Technical Manual* thresholds indicating the need for analysis of potential effects on health care facilities or police and fire services.

### *PUBLIC SCHOOLS*

The proposed actions would not result in significant adverse impacts to elementary or intermediate schools in either the 2023 or 2026 build years. The overall utilization rates for elementary and intermediate schools would be under 100 percent, and the increases in utilization attributable to the proposed actions would be less than 5 percent in every scenario except in the 2026 With Action analysis of elementary schools in the subdistrict and of intermediate schools within the full district. In this build year, while the increases in the collective utilization rate for each would be over five percentage points, these increases would not result in a significant adverse impact to elementary or intermediate schools because the utilization would remain below 100 percent.

### *LIBRARIES*

The proposed actions would not be expected to result in a noticeable change in the delivery of library services, or a significant adverse impact related to library services. For each of the affected libraries—the 125th Street Library, Countee Cullen Library, and the Harlem Library—in both the 2023 and 2026 build year, the catchment area population increases attributable to the population generated by the proposed actions would fall below the 5 percent threshold presented in the *CEQR Technical Manual*.

### *CHILD CARE FACILITIES*

The proposed actions would not result in a significant adverse impact on publicly funded child care facilities. In both the 2023 and 2026 build years, residential development generated by the proposed actions would not result in an increase in utilization of publicly funded child care facilities beyond the CEQR threshold of five percentage points, though utilization would increase to above 100 percent in the 2026 build year.

## **OPEN SPACE**

A detailed analysis concluded that the proposed actions would result in a significant adverse indirect impact in the 2026 analysis year due to the anticipated reduction in open space ratios.

### *DIRECT EFFECTS*

The proposed actions would not directly displace any existing open space resources. The majority of project-generated shadows on open spaces would be limited in extent and duration. The exception would be Howard Bennett Playground, where a significant adverse shadow impact would occur on the December 21 analysis day (representing the winter months). While the shadows would contribute to a decrease in the open space's utility on the December 21 analysis day, the greatest shadowing effects on this open space would occur during the winter, when utilization of the playground is relatively low, and outside of the growing season as well as the NYC Parks tennis season. In addition, the study area includes multiple open spaces with passive and active recreation space within a 10-minute walk of Howard Bennett Playground.

During construction of the proposed project, access to the Howard Bennett Playground and Abraham Lincoln Playground would be maintained; however, during construction of the proposed Building N, a pedestrian gate to the east of the construction site may need to be temporarily closed, limiting access to the Hansborough Recreation Center from that location. Access to the main entrance of the recreation center, from the west via Lenox Terrace Place, would be maintained throughout construction. During certain periods, construction noise levels anticipated to be experienced at the Howard Bennett Playground would be “noticeable” (in the low to mid 70s) and would be in the “marginally unacceptable” range according to the *CEQR Technical Manual* noise exposure criteria. Construction noise levels anticipated to be experienced at the Hansborough Recreation Center

would be “noticeable and potentially intrusive,” with maximum noise levels in the “marginally unacceptable” range (60s to high 70s dBA) according to *CEQR Technical Manual* noise exposure criteria. However, based on the limited duration and magnitude of predicted construction noise levels, construction-related noise would not rise to the level of a significant adverse open space impact at the Howard Bennett Playground or the Hansborough Recreation Center.

### *INDIRECT EFFECTS*

While the open space ratios in the With Action scenario would be quantitatively low, this condition currently exists and would persist in the No Action scenario. In the 2023 With Action scenario, the study area open space ratios would decrease by approximately 3.28 percent for total open space, 2.89 percent for passive open space, and 3.00 percent for active open space. In the 2026 With Action scenario, the study area open space ratios would decrease by approximately 4.87 percent for total open space, 4.65 percent for passive open space, and 4.96 percent for active open space. The reduction in open space ratios in both the With Action scenarios (2023 and 2026) would be less than 5 percent, which is the threshold defined by the *CEQR Technical Manual* for identifying a quantified indirect open space impact; however, because the reduction in the active open space ratio in the 2026 analysis year is very close to 5 percent and because the open space ratios in this area would continue to be quantitatively low in the No Action and With Action scenarios, the reduction in the open space ratio would be considered a significant adverse indirect impact in the 2026 analysis year. The proposed actions would not result in a significant adverse indirect impact to open space in the 2023 analysis year.

From a qualitative perspective, the proposed project would introduce a substantial amount (more than six acres) of new private open space on the proposed development site that would be available to both existing and new Lenox Terrace residents and their guests. This new private open space would limit the incremental demand on study area public open space resources generated by the proposed actions. In addition, the study area has a large number of community gardens, New York City Housing Authority (NYCHA)-owned open spaces and other quasi-public open spaces that are not accounted for in the quantified analysis but which serve to offset the demand for publicly accessible open space resources.

### **SHADOWS**

A detailed shadow analysis determined that the proposed actions would result in a significant adverse shadow impacts to one open space resource. In the 2026 With Action scenario, project-generated shadows would reach 10 sunlight-sensitive resources. The majority of these new shadows would be limited in extent and duration and would typically only occur during some seasons. The short duration of new shadow that would fall on most affected resources would not substantially reduce the quantity of direct sunlight and would not significantly alter the utilization of the resources or the variety of vegetation supported within. Therefore, no significant adverse shadows impacts would occur at nine of these sunlight-sensitive resources.

Project-generated shadow would result in a significant adverse impact on one open space resource—Howard Bennett Playground—on the December 21 analysis day. In the 2026 With Action scenario, new shadow would be cast on the playground for the entirety of the December 21 analysis day. Court areas that receive at least 3½ hours of direct sunlight in the No Action scenario would receive no more than 1 hour of direct sunlight in the 2026 With Action scenario, and some court areas would receive no direct sunlight. The large tennis courts located in the center of the playground, which receive at least 5 hours of direct sunlight in the No Action scenario, would receive 1 to 3 hours of direct sunlight in the 2026 With Action scenario. Shadows cast in December fall outside of the growing season and thus would not affect vegetation growth; however, the reduction in direct sunlight on the benches and athletic courts of Howard Bennett Playground could be substantial enough to affect the use of this resource.

The modification in the site plan would not increase building coverage or height at any location and consequently would not result in any shadows beyond those assessed in Therefore, the modification to the site plan would not result in any shadow impacts not identified in the FEIS.



### *PROJECT-GENERATED OPEN SPACE*

Project-generated open spaces are not considered sunlight-sensitive resources under CEQR guidelines; however, information on project-generated shadow is provided here for disclosure purposes. The project-generated open space would receive the longest duration of direct sunlight in the mid-spring through mid-summer, when portions of the potential central lawn would receive up to 10 hours of direct sunlight per day. The potential “pocket parks” along Fifth Avenue would also receive substantial direct sunlight of up to 9 hours a day. The pocket parks to the north would be partially shaded, receiving, at most, 6 hours of direct sunlight a day. The most shaded areas of the project-generated open space would surround the beginning and end of the potential pedestrian pathway where it follows a path between existing and proposed buildings. The open space and vegetation in these areas would receive as little as 2 hours of direct sunlight throughout the day.

Throughout the early spring and late summer, portions of the potential central lawn would receive up to 8 hours of direct sunlight. The potential “pocket parks” would be partially shaded, with most areas being in direct sunlight for approximately half the day. Areas surrounding the potential pedestrian pathway would be the most shaded, with the majority of these areas receiving no more than 4 hours of direct sunlight within a day.

In December, when the day’s length is at its shortest, only discrete areas of the potential pedestrian pathway and the portions of the potential “pocket parks” immediately adjacent to Lenox Avenue would receive more than 3 hours of direct sunlight. The majority of project-generated open space would receive less than 2 hours of direct sunlight. However, the shadow in December would fall outside the growing season and thus would not alter the vitality of the vegetation within the project-generated open space.

### **HISTORIC AND CULTURAL RESOURCES**

The analysis finds that the proposed actions would result in a significant adverse historic resources impact associated with the demolition of the five one-story retail buildings on the proposed development site. The proposed actions would not be anticipated to result in significant adverse impacts to other historic and cultural resources in the study area, with the preparation and implementation of a Construction Protection Plan (CPP) to avoid inadvertent demolition and/or construction-related damage to resources within 90 feet of the proposed development site. The New York City Landmarks Preservation Commission (LPC) determined that it has no archaeological concerns for the rezoning area, and thus the proposed actions would not result in any significant adverse impacts to archaeological resources.

The one-story retail buildings on the proposed development site are not known to have had any tenants that contribute to the Lenox Terrace complex’s cultural associations with prominent African Americans in the Harlem community and do not physically connect to any of the residential buildings that housed prominent community members. However, they were constructed as part of the overall development of the Lenox Terrace complex and are part of the S/NR eligibility determination by LPC. Therefore, the demolition of the one-story structures on the proposed development site would result in a significant adverse impact to historic resources.

To avoid inadvertent demolition and/or construction-related damage from ground-borne construction period vibrations, falling debris, collapse, etc., the buildings to be retained on the proposed development site would be included in a CPP for historic structures that would be prepared in coordination with LPC and implemented in consultation with a licensed professional engineer. The CPP would be prepared and implemented prior to demolition and construction activities on the proposed development site, and project-related demolition and construction activities would be monitored as specified in the CPP.

LPC has determined that the Metropolitan AME Church on the projected future development site does not appear to be NR or LPC eligible due to its alterations. The buildings on the potential development site have not been identified as potential architectural resources, and LPC has concurred with the determination of no significance. Therefore, the proposed actions would not result in any significant adverse direct or indirect impacts to architectural resources on the projected future development site or the potential development site. It is possible that the development on the projected future development site could have a significant adverse impact on the Lenox Terrace resource during construction. If the potential development site were to be redeveloped, that redevelopment also would have the potential to result in similar construction-related impacts.

The Hansborough Recreation Center's natatorium on the City-owned site has been identified as a potential architectural resource. This structure is located within 90 feet of the proposed development site. Therefore, to avoid inadvertent demolition and/or construction-related damage to this resource from ground-borne construction period vibrations, falling debris, collapse, etc., it would be included in the project's CPP for historic structures that would be prepared in coordination with LPC.

The S/NR-eligible Bethel AME Church is located within 90 feet of the proposed development site. Therefore, to avoid inadvertent demolition and/or construction-related damage to this resources from ground-borne construction period vibrations, falling debris, collapse, etc., it would be included in the project's CPP for historic structures that would be prepared in coordination with LPC.

The proposed, projected, and potential development within the rezoning area would not introduce incompatible visual, audible, or atmospheric elements to a resource's setting. The residential, retail, and community facility uses of the proposed and projected development are comparable with the use of many of the historic and modern buildings in the study area. The proposed actions would not result in the elimination or screening of significant publicly accessible views of any architectural resources in the study area. The proposed actions also would not result in the introduction of significant new shadows, or significant lengthening of the duration of existing shadows, on historic structures with sunlight-sensitive features, to the extent that the architectural details that distinguish that resource as significant are obscured.

## **URBAN DESIGN AND VISUAL RESOURCES**

The proposed actions are not anticipated to result in significant adverse impacts to urban design and visual resources. At 28 stories (approximately 284 feet) tall, the new buildings on the proposed development site would be much taller than the existing one-story retail structures they would replace, and approximately 140 feet taller than the existing Lenox Terrace residential buildings. The majority of existing buildings in the study area are generally under eight stories; however, the larger residential complexes in the area (both NYCHA and privately owned) are generally 13 to 16 stories tall, like the existing Lenox Terrace development. In addition, the height of the proposed buildings was designed to be consistent with the height of the mechanical bulkhead of the Harlem Hospital Center, directly north of the proposed development site.

The massing of the proposed buildings would be generally oriented north-south as with the existing Lenox Terrace residential buildings, and would be similar in the location and sizes of their footprints to the existing retail buildings; however, the proposed buildings also would extend east-west at the corners of the block, framing the overall site. The new buildings are anticipated to be clad in a mix of masonry and glass. The residential and retail uses of the proposed buildings would reflect the uses of the existing buildings on the Lenox Terrace complex as well as the predominant land uses in the study area, and the proposed community facility use would be compatible with similar uses in the surrounding area. The majority of new construction would take the place of existing one-story commercial buildings, allowing for the conversion of surface parking areas to open space; the new private open space would enhance the visual character of the proposed development site as compared to existing conditions and No Action scenario, and thus would enhance the pedestrian experience of the surrounding area. The existing driveway off Lenox Avenue—which provides access to the existing residential building at 470 Lenox Avenue—would be maintained.

The proposed actions would not result in any changes to buildings, natural features, open spaces, or streets in the study area. In comparison with the No Action scenario, the proposed project would alter the visual character of the surrounding area through the addition of new, taller buildings to the proposed development site and the projected future development site, but this character is already evolving through the construction of new No Build buildings in the study area. The assumed uses of a new building on the projected future development site would reflect the existing use on the site as well as uses within the surrounding area, and the height of the new building would be consistent with the proposed zoning. The height and massing of any new building on the potential development site also would be consistent with the proposed zoning.

The new buildings on the proposed development site would be prominent in views along surrounding streets, particularly along the avenues; however, in these views, the new buildings would be consistent with the height of the adjacent Harlem Hospital Center. The proposed buildings would not obstruct or eliminate views to

visual landmarks in the surrounding area, including the Harlem River Lift Bridge, the Harlem YMCA tower, the Third Avenue Bridge, and the Madison Avenue Bridge. The expansive views from the Harlem River Park within the study area would continue to include the river, the nearby bridges, and the Bronx waterfront; views west also would include, from some perspectives, the new buildings on the proposed development site. Therefore, the proposed actions would not be expected to significantly adversely affect the context of natural or built visual resources, or any view corridors.

The change in the proposed zoning and the modification in the site plan since the DEIS did not alter the development program considered in the DEIS and would not increase building coverage or height at any location. The existing driveway off Lenox Avenue—which provides access to the existing residential building at 470 Lenox Avenue—would be maintained, and thus views from the avenue into the proposed development site from this location also would be maintained. Therefore, the change in the proposed zoning and the modification to the site plan would not result in any significant adverse impacts to urban design or visual resources.

## **HAZARDOUS MATERIALS**

The proposed actions would not result in significant adverse impacts related to hazardous materials. The hazardous materials assessment identified various potential sources of contamination on, or in close proximity to, the rezoning area. Potential sources of contamination may include past and present petroleum storage, reported spills (all closed), and hazardous waste generation on the proposed development site; historical uses of the proposed development site (including paint shops, manufacturing, printing, an electrical substation, and dry cleaning); historical petroleum storage on the projected future development site; past and present uses of the surrounding area (including dry cleaners and undertakers); and reported petroleum storage facilities, spills, and hazardous waste generators in close proximity to the rezoning area.

To reduce the potential for adverse impacts associated with new construction resulting from the proposed actions, further environmental investigations will be required. For the projected future development site, potential development site, and proposed development site, a hazardous materials (E) designation (E-547) would be assigned to ensure that soil testing and any necessary remedial activities would be undertaken prior to and/or, as necessary, during redevelopment. The (E) designation would ensure that appropriate procedures for any necessary subsurface disturbance would be followed prior to, during, and following construction. The following actions would be required by the (E) designation prior to obtaining New York City Department of Buildings (DOB) permits for new development entailing soil disturbance or change to a more sensitive building use.

The hazardous materials assessment also identified the potential for hazardous materials in existing buildings (such as asbestos-containing materials [ACM], lead-based paint [LBP], and polychlorinated biphenyl [PCB]-containing equipment and lighting fixtures). Regulatory requirements for maintenance and (if necessary) disposal of such materials prior to or during demolition would continue to be followed.

With the implementation of the above measures, the proposed actions would not result in any significant adverse impacts with respect to hazardous materials.

## **WATER AND SEWER INFRASTRUCTURE**

The analysis finds that the proposed actions are not anticipated to result in a significant adverse impact on the City's water supply or wastewater and stormwater conveyance and treatment infrastructure. The proposed actions would result in an increase in water consumption and sewage generation within the rezoning area as compared with the No Action condition. While the proposed actions would result in an incremental water demand of 564,360 gallons per day (gpd), this would not represent a significant increase in demand on the New York City water supply system. An analysis of water supply is not warranted since it is expected that there would be adequate water service to meet the incremental demand, and there would be no significant adverse impacts on the City's water supply.

While the proposed project would generate 619,896 gpd of sanitary sewage, an increase of 301,938 gpd above the No Action scenario, this incremental increase in sewage generation would be approximately 0.3 percent of the average daily flow at the Wards Island Wastewater Treatment Plant (WWTP) and would not result in an exceedance of the plant's permitted capacity.

The overall volume of stormwater runoff and the peak stormwater runoff rate from the rezoning area is expected to decrease due to the replacement of impervious surface parking with approximately 3.6 acres of landscaped green space. In addition, with the incorporation of selected stormwater source control best management practices (BMPs) that would be required as part of the site connection approval process, subject to the review and approval by the New York City Department of Environmental Protection (DEP), the peak stormwater runoff rates would be further reduced.

## **SOLID WASTE AND SANITATION SERVICES**

The analysis finds that the proposed actions would not result in a significant adverse impact on solid waste and sanitation services. The proposed actions would not directly affect a solid waste management facility. The proposed actions would collectively generate approximately 40 tons per week of solid waste over the No Action scenario, of which approximately 88 percent (35.17 tons) would be handled by the New York City Department of Sanitation (DSNY), and approximately 12 percent (4.74 tons) would be handled by private carters. This correlates to approximately three additional truckloads per week of solid waste handled by DSNY and less than one additional truckload per week to be handled by private carters. The additional solid waste resulting from the proposed actions, to be handled by DSNY, would be a negligible increase relative to the approximately 12,260 tons of solid waste (including 10,500 tons of residential and institutional garbage, and 1,700 tons of recyclables) handled by DSNY every day, or the 12,000 tons handled by private carters. As such, the proposed actions would not result in an increase in solid waste that would overburden available waste management capacity. Furthermore, the proposed actions would not result in any conflicts with, or require any amendment to, the City's solid waste management objectives as stated in SWMP.

## **ENERGY**

The preliminary analysis finds that the proposed actions would not result in any significant adverse energy impacts. The proposed project and the development on the projected future development site are projected to generate an incremental demand for approximately 201,018 million British thermal units (BTUs) of energy per year. This energy demand represents the total incremental increase in energy consumption between the No Action scenario and the With Action scenario. As explained in the *CEQR Technical Manual*, the incremental demand produced by most projects would not create a significant impact on energy capacity, and detailed assessments are only recommended for projects that may significantly affect the transmission or generation of energy. The proposed actions would generate an incremental increase in energy demand that would be negligible when compared to the overall demand within Consolidated Edison's (Con Edison's) New York City and Westchester County service area. Therefore, the proposed actions would not result in any significant adverse energy impacts.

## **TRANSPORTATION**

The proposed actions would result in significant adverse impacts to traffic and pedestrians, as detailed below. No significant adverse impacts were identified for transit, parking, or vehicular and pedestrian safety.

The change in the proposed zoning and the modification in the site plan since the DEIS would not alter the development program nor the conclusions of the transportation analysis presented in the EIS.

### *TRAFFIC*

Traffic conditions were evaluated at 11 intersections for the weekday AM, midday, PM, and Saturday peak hours. In the 2023 With Action scenario there would be the potential for significant adverse traffic impacts at four intersections during the weekday AM peak hour, two intersections during the weekday midday peak hour, three intersections during the weekday PM peak hour, and four intersections during the Saturday peak hour. In the 2026 With Action scenario there would be the potential for significant adverse traffic impacts at five intersections during the weekday AM peak hour, four intersections during the weekday midday peak hour, five

intersections during the weekday PM peak hour, and six intersections during the Saturday peak hour. **Tables 3 and 4** provide summaries of the impacted locations by lane group and analysis time period. Potential measures to mitigate the projected traffic impacts are described below.

**Table 3**  
**Summary of Significant Adverse Traffic Impacts**  
**2023 With Action Scenario**

Intersection		Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour	Saturday Peak Hour
EB/WB Street	NB/SB Street				
West 135th Street	Adam Clayton Powell Jr. Boulevard	WB-L WB-TR			
West 135th Street	Lenox Avenue	EB-LTR WB-LTR	WB-LTR		EB-LTR WB-LTR
135th Street	Fifth Avenue	EB-LTR	WB-TR	EB-LTR WB-LTR	EB-LTR WB-DefL
West 132nd Street	Lenox Avenue			EB-LTR SB-L	SB-L
132nd Street	Fifth Avenue	WB-L		EB-TR WB-L	EB-TR WB-L
<b>Total Impacted Intersections/Lane Groups</b>		<b>4/6</b>	<b>2/2</b>	<b>3/6</b>	<b>4/7</b>
<b>Notes:</b> L = Left Turn, T = Through, R = Right Turn, DefL = Defacto Left Turn, EB = Eastbound, WB = Westbound, NB = Northbound, SB = Southbound.					

*TRANSIT*

A detailed analysis of station circulation elements and control areas was conducted for the 135th Street Station (No. 2 and 3 trains) during the weekday AM and PM peak hours. Subway line-haul (No. 2 and 3 trains) analyses were also conducted for the weekday AM and PM peak hours. Based on the subway station analysis results, the proposed project would not have the potential to yield significant adverse impacts at the 135th Street Station in the 2023 With Action scenario or the 2026 With Action scenario. The line-haul analyses showed that the proposed project would not have the potential to yield significant adverse subway line-haul impacts.

A preliminary screening assessment concluded that a detailed bus line-haul analysis was not warranted, as no single bus route would be expected to incur incremental trips exceeding the CEQR Technical Manual analysis threshold of 50 or more peak hour bus riders in a single direction. Therefore, the proposed actions would not result in any significant adverse bus line-haul impacts.

**Table 4**  
**Summary of Significant Adverse Traffic Impacts**  
**2026 With Action Scenario**

Intersection		Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour	Saturday Peak Hour
EB/WB Street	NB/SB Street				
West 135th Street	Adam Clayton Powell Jr. Boulevard	WB-L WB-TR			WB-TR
West 135th Street	Lenox Avenue	EB-LTR WB-LTR	EB-LTR WB-LTR	EB-LTR WB-LTR	EB-LTR WB-LTR
135th Street	Fifth Avenue	EB-LTR WB-LTR	WB-TR	EB-LTR WB-LTR	EB-LTR WB-DefL WB-TR
West 132nd Street	Lenox Avenue			EB-LTR SB-L	SB-L
West 131st Street	Lenox Avenue	WB-LTR	WB-LTR	WB-LTR	WB-LTR
132nd Street	Fifth Avenue	WB-L	WB-L	EB-TR WB-L	EB-TR WB-L
<b>Total Impacted Intersections/Lane Groups</b>		<b>5/8</b>	<b>4/5</b>	<b>5/9</b>	<b>6/10</b>

**Notes:** L = Left Turn, T = Through, R = Right Turn, DefL = Defacto Left Turn, EB = Eastbound, WB = Westbound, NB = Northbound, SB = Southbound.

*PEDESTRIANS*

Weekday and Saturday peak period pedestrian conditions were evaluated at key area sidewalk, corner reservoir, and crosswalk locations. Based on the detailed assignment of pedestrian trips, 9 sidewalk segments, 5 corner reservoirs, and 2 crosswalks were selected for detailed analysis for the weekday AM, midday, PM, and Saturday peak hours. As summarized in **Table 5**, potential significant adverse impacts were identified for one crosswalk during all four analysis peak hours in the 2023 With Action scenario. As summarized in **Table 6**, potential significant adverse impacts were identified for one crosswalk during all four analysis peak hours in the 2026 With Action scenario.

**Table 5**  
**Summary of Significant Adverse Pedestrian Impacts**  
**2023 With Action Scenario**

Intersection	Pedestrian Element	2023 With Action Scenario			
		Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour	Saturday Peak Hour
Lenox Avenue and West 135th Street	South Crosswalk	X	X	X	X
<b>Total Impacted Pedestrian Elements</b>		<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>

**Notes:** X = Significant Adverse Pedestrian Impact.

**Table 6**  
**Summary of Significant Adverse Pedestrian Impacts**  
**2026 With Action Scenario**

Intersection	Pedestrian Element	2026 With Action Scenario			
		Weekday AM Peak Hour	Weekday Midday Peak Hour	Weekday PM Peak Hour	Saturday Peak Hour
Lenox Avenue and West 135th Street	South Crosswalk	X	X	X	X
<b>Total Impacted Pedestrian Elements</b>		<b>1</b>	<b>1</b>	<b>1</b>	<b>1</b>

**Notes:** X = Significant Adverse Pedestrian Impact.

*VEHICULAR AND PEDESTRIAN SAFETY*

Crash data for the study area intersections were obtained from the New York City Department of Transportation (DOT) for the time period January 1, 2014 and December 31, 2016. During this period, a total of 113 reportable and non-reportable crashes, zero fatalities, 119 injuries, and 40 pedestrian/bicyclist-related crashes occurred at the study area intersections. A rolling total of accident data identifies two high accident location in the 2014 to 2016 period at the intersections of Fifth Avenue and 132nd Street, and Lenox Avenue and West 135th Street. A summary of the identified high accident location, prevailing trends, project-specific effects, and recommended safety measures is provided in **Table 7**.

**Table 7**  
**Summary of High Crash Locations**

<b>High Crash Intersections</b>	<b>Prevailing Trends</b>	<b>Peak Hour Project-Specific Effects</b>	<b>Recommended Safety Measures</b>
Lenox Avenue and West 135th Street	None	Incremental trips: 91 vehicles and 926 pedestrians	Install Americans with Disabilities Act (ADA) compliant curb cuts
Fifth Avenue and 132nd Street	None	Incremental trips: 77 vehicles and 36 pedestrians	Install ADA compliant curb cuts

**Source:** DOT crash data; January 1, 2014 to December 31, 2016.

*PARKING*

Under the 2023 With Action scenario, there would be a total of approximately 792 to 817 accessory parking spaces provided on the proposed development site. For a conservative parking analysis, the lower total of 792 accessory parking spaces was assumed. Accounting for the incremental parking demand generated by Phase 1 of the proposed project, the 2023 With Action public parking utilization in the off-street parking study area is expected to increase to a maximum of 86 percent during the weekday midday peak period. Since the parking utilization level is within the area’s off-street public parking capacity, Phase 1 of the proposed project is not expected to result in the potential for parking shortfalls or significant adverse parking impacts.

Under the 2026 With Action scenario, there would be a total of approximately 544 to 679 accessory parking spaces provided in the rezoning area (approximately 525 to 660 spaces from the proposed development site and 19 spaces from the projected future development site). For a conservative parking analysis, the lower total of 544 accessory parking spaces was assumed. Accounting for the incremental parking demand generated by the 2026 With Action scenario, the public parking utilization in the off-street parking study area is expected to increase to a maximum of 98 percent during the weekday overnight peak period. Since the parking utilization level is within the area’s off-street public parking capacity, the 2026 With Action scenario is not expected to result in the potential for parking shortfalls or significant adverse parking impacts.

**AIR QUALITY**

The analysis of the parking facilities to be developed as part of the proposed actions determined that there would not be any significant adverse air quality impacts with respect to carbon monoxide (CO) and particulate matter (PM) emissions.

The stationary source analyses determined that there would be no potential significant adverse air quality impacts from fossil fuel-fired heat and hot water systems. However, restrictions through the mapping of an (E) designation (E-547) for air quality on the proposed development site (Block 1730, Lots 1, 33, 40, 45, 50, 52, and 68), regarding fuel type and exhaust height for Buildings NE and N and exhaust height for Buildings NW, SW, and SE, and on the projected future development site (Block 1730, Lot 65) and the potential development site (Block 1730, Lots 16 and 19), regarding fuel type, exhaust stack location, and equipment technology, would be necessary to ensure that emissions from fossil fuel-fired systems would not result in any significant air quality impacts.

Based on the analysis of the emission sources from large and major sources of emissions in the study area on the proposed project, no significant adverse air quality impacts are predicted to occur; however, restrictions through the mapping of an (E) Designation (E-547) for air quality on the proposed development site (Block



1730, Lots 1, 33, 40, 45, 50, 52, and 68) regarding the placement of operable windows and air intakes on the Proposed Buildings NW and N would be required.

In terms of industrial sources, no businesses were found to have a New York State Department of Environmental Conservation (DEC) air permit or New York City Department of Environmental Protection (DEP) certificate of operation within the study area, and no other potential sources of concern were identified. Therefore, no potential significant adverse air quality impacts from industrial sources would occur with the proposed actions.

## **GREENHOUSE GAS EMISSIONS AND CLIMATE CHANGE**

### *GREENHOUSE GAS EMISSIONS*

The building energy use and vehicle use associated with the proposed project would result in up to approximately 16.5 thousand metric tons of carbon dioxide equivalent (CO<sub>2</sub>e) emissions per year. Per the *CEQR Technical Manual* guidance, emissions from potential future development resulting from the proposed actions which are not under the applicant's operational control are discussed qualitatively.

The applicant and any potential developer of the projected future development site would be required, at a minimum, to achieve the energy efficiency requirements of New York City's building code. In 2016, as part of the implementation of strategies aimed at achieving the OneNYC greenhouse gas (GHG) reduction goals, the City adopted a more stringent building energy code which substantially increased the energy efficiency required. Also in 2016, the City published a pathway to achieving the GHG reduction goals in the building sector. Should the measures identified in the City's pathway or other measures not yet implemented be adopted by the City in the future, they may apply to the proposed project or to the projected future development site. The proposed project and development on the projected future development site would implement any measures required under such programs, as legally applicable. Therefore the proposed actions would support the goal identified in the *CEQR Technical Manual* of building efficient buildings.

The proposed actions also would support the other GHG reduction goals by virtue of the project's proximity to public transportation, commitment to construction air quality controls, and the fact that as a matter of course, construction in New York City uses recycled steel and includes cement replacements. All of these factors demonstrate that the proposed project supports the GHG reduction goal.

Therefore, based on the adherence to the City's energy efficiency requirements and by virtue of the project's location and nature, the proposed actions would be consistent with the City's emissions reduction goals, as defined in the *CEQR Technical Manual*.

### *RESILIENCE TO CLIMATE CHANGE*

Most of the project area would remain outside of the one-percent annual chance flood area in the future. The proposed project would not likely be affected by increasing flood elevations prior to the 2080s, or possibly later depending on future adjustments to end-of-century potential flood elevations estimates. Based on current estimates, existing and proposed residential units would all be located well above flood elevations out to 2100 and beyond. However, by the 2080s, without additional design measures, critical infrastructure lower than 17 feet NAVD88 located in Proposed Building NE and Proposed Building N—which could include electrical and communications connections, elevators, fuel connections, boilers, water pumps, fire safety, emergency generators, and any other critical infrastructure if located below the above elevations—could be flooded in the event of a severe storm, similar to many residential buildings in the area. Non-critical uses such as sub-grade parking would also be flooded in such an event.

As noted above, the proposed project and any future development on the projected future development site would be constructed to meet the codes and any related resiliency requirements in effect at the time of construction. If determined to be necessary to supplement any flood-protection efforts undertaken by the City protect the proposed action's coastal area, enhancements such as the addition of temporary or built-in flood protection could be implemented in the future to further protect both existing and proposed uses on the proposed development site.

## **NOISE**

The analysis concluded that the proposed actions would not result in significant adverse operational noise impacts. The proposed project would not generate sufficient traffic to have the potential to cause a significant noise impact. The proposed buildings' mechanical systems would be designed to meet all applicable noise regulations and to avoid producing levels that would result in significant increase in ambient noise levels. Therefore, the proposed actions would not result in any significant adverse noise impacts related to building mechanical equipment. The proposed buildings, when completed and occupied, would not have the potential to significantly affect noise levels within the nearby residences.

With regard to the interior noise environment of the proposed development, the proposed buildings would provide acoustically-rated windows and air conditioning as an alternate means of ventilation. The building façades, including these elements, would provide a composite window/wall attenuation such that interior noise levels would be less than CEQR guidelines of 45 dBA for residential and community facility spaces, and less than 50 dBA for commercial and retail uses. An (E) designation (E-547) for noise would be mapped onto the proposed development site and the projected future development site to ensure the provision of such window/wall attenuation.

## **PUBLIC HEALTH**

The analyses presented in this EIS concluded that the proposed actions would not result in unmitigated significant adverse impacts in the areas of air quality, water quality, hazardous materials, or operational noise. Construction activities would result in unmitigated significant adverse construction-period noise impacts. However, construction of the proposed project would not result in chronic exposure to high levels of noise, prolonged exposure to noise levels above 85 dBA, or episodic and unpredictable exposure to short-term impacts of noise at high decibel levels, as per the *CEQR Technical Manual*. Consequently, construction of the proposed project would not result in a significant adverse public health impact.

## **NEIGHBORHOOD CHARACTER**

The proposed actions would not result in significant adverse impacts associated with neighborhood character. The rezoning area is located within the Central Harlem neighborhood of Manhattan. As described in the relevant chapters of this EIS, the proposed actions would not result in significant adverse impacts to land use, zoning, and public policy; socioeconomic conditions; urban design and visual resources; or operational-period noise. Although significant adverse impacts would occur with respect to historic and cultural resources, open space, shadows, traffic, pedestrians, and construction-period noise, these impacts would be at least partially mitigated, and would not result in a significant overall change to the defining elements of the area's neighborhood character. New development on the proposed development site would allow for the provision of additional housing units, including permanently affordable housing pursuant to MIH; facilitate the development of new community facility and retail uses that would create more active ground-floor street-front retail spaces and create a more defined streetwall along Lenox Avenue; improve site circulation and access; and create more than six acres of outdoor recreation space for residents. The proposed reduction in parking regulations and the conversion of interior areas of the site from predominantly parking to open space are intended to enhance the urban design conditions of the proposed development site and surrounding area, thereby contributing to the neighborhood character. In addition, mitigation measures could minimize or eliminate anticipated shadow-related project impacts to the Howard Bennett Playground, impacts to open space and historic resources, and to traffic intersections in the surrounding area.

## **CONSTRUCTION**

The proposed actions would have the potential to result in significant adverse impacts to traffic, pedestrians, historic and cultural resources, and noise during the construction period.

Construction of the proposed project would result in temporary disruptions in the surrounding area. However, to extent practicable, the applicant has committed to implementing a variety of measures during construction to minimize the effects of the proposed project on the nearby community, including:

### *COMMUNICATION WITH COMMUNITY*

- A. Regular construction updates would be provided to the community and local leaders; and
- B. A dedicated hotline would be established for community members to register concerns or problems that may arise during the construction period. In addition, New York City maintains a 24-hour telephone hotline (311) so that concerns can be registered with the City.

### *COMMUNITY SAFETY*

- C. A number of measures would be employed to ensure public safety during the construction of the proposed project, including the erection of sidewalk bridges, the employment of flag persons, and the installation of safety nettings;
- D. Maintenance and Protection of Traffic (MPT) plans would be developed for any temporary sidewalk, lane, and/or street closures. Approval of these plans and implementation of the closures would be coordinated with DOT's Office of Construction Mitigation and Coordination (OCMC);
- E. A pest management program would be implemented to reduce the presence of rodents at and near the proposed development site; and
- F. All New York City Department of Building (DOB) safety requirements and protocols would be followed and construction of the proposed project would be undertaken so as to ensure the safety of the community and the construction workers themselves.

### *ENVIRONMENTAL PERFORMANCE*

- G. An emissions reduction program would be implemented during construction to minimize the effects on air quality and would include, to the extent practicable, measures such as the use of dust control, ultra-low sulfur diesel (ULSD) fuel, best available technologies, and newer and cleaner equipment;
- H. A site-specific Remedial Action Plan and Construction Health and Safety Plan (RAP and CHASP) would be prepared for implementation during construction, and submitted to the New York City Office of Environmental Remediation (OER) for review and approval;
- I. In addition to noise control measures required by the *New York City Noise Control Code*, construction of the proposed project would include measures such as the use of a 12-foot tall barrier with a 3-foot cantilever towards the construction work area, the installation of a structure enclosed on three sides with a roof to house the concrete pump and concrete mixer trucks as they access the pump, and the installation of a structure enclosed on three sides with a roof to house concrete mixer trucks as they are washed out before leaving the project site; and
- J. To avoid inadvertent demolition and/or construction-related damage from ground-borne construction period vibrations, falling debris, collapse, etc., the buildings to be retained on the proposed development site would be included in a CPP for historic structures that would be prepared in coordination with LPC and implemented in consultation with a licensed professional engineer.

With the implementation of the measures described above, the construction effects of the proposed project on the surrounding area would be substantially reduced. However, even with these measures in place, the proposed project's construction activities would result in significant adverse transportation, noise, and historic and cultural resources impacts.

### *TRANSPORTATION*

#### *Traffic*

For purposes of the construction traffic analysis, the combined daily workforce and truck trip projections in the peak quarter were used as the basis for estimating peak hour construction trips. The first quarter of 2022 to the third quarter of 2022 was identified as the peak construction traffic period for Phase 1 construction, and the fourth quarter of 2024 was identified as the peak construction traffic period for Phase 2 construction. For the 2022 Phase 1 construction With Action scenario, one of the analyzed intersections would be significantly

impacted during the weekday 6 AM to 7 AM construction peak hour and three of the analyzed intersections would be significantly impacted during the weekday 3 PM to 4 PM construction peak hour. For the 2024 Phase 2 construction With Action scenario, one of the analyzed intersections would be significantly impacted during the weekday 6 AM to 7 AM construction peak hour and four of the analyzed intersections would be significantly impacted during the weekday 3 PM to 4 PM construction peak hour. These temporary construction period impacts could be fully mitigated by implementing standard traffic mitigation measures that are the same or similar to those recommended to mitigate operational impacts.

#### *Transit*

Both Phase I and Phase II construction of the proposed project would yield incremental transit trips that are lower than under operational conditions for the completion of the project's two development phases. Considering that no potential significant adverse transit impacts are anticipated for these operational conditions, a detailed construction period transit analysis is not warranted, and neither Phase 1 nor Phase 2 construction of the proposed project would result in any significant transit impacts.

#### *Pedestrians*

A detailed pedestrian analysis for Phase 1 construction was conducted for the south crosswalk at West 135th Street and Lenox Avenue, where operational impacts were identified. For Phase 2 construction, a detailed pedestrian analysis was prepared for the south crosswalk at West 135th Street and Lenox Avenue, as well as for the three sidewalks and one corner where incremental trips generated by the combination of construction and occupied new buildings would be greater than those generated by the full build-out of the proposed actions. Similar to the conclusions made for the operational pedestrian analyses, no significant adverse pedestrian impacts were identified for the three sidewalks and one corner. However, as with the operational impacts, the south crosswalk of West 135th Street and Lenox Avenue would incur significant adverse pedestrian impacts, which cannot be mitigated, during the 6 AM to 7 AM and 3 PM to 4 PM construction peak hours during both Phase 1 and Phase 2 construction.

#### *Parking*

The peak number of workers is estimated to be 863 per day, which is expected to occur during the Phase 1 construction period. The estimated peak construction parking demand of 170 parking space is expected to be accommodated by the available off-street parking supply within a ½-mile radius of the project site. Therefore, construction for the proposed project would not result in a parking shortfall or the potential for any significant adverse parking impacts.

#### *AIR QUALITY*

An emissions reduction program would be implemented for the proposed project to minimize the effects of construction activities on the surrounding community. Measures would include, to the extent practicable, dust suppression measures, use of ultra-low sulfur diesel (ULSD) fuel, idling restrictions, diesel equipment reduction, best available tailpipe reduction technologies, and the utilization of newer equipment. With the implementation of these emission reduction measures, the dispersion modeling analysis of construction-related air emissions for both non-road and on-road sources determined that particulate matter (PM<sub>2.5</sub> and PM<sub>10</sub>), annual-average nitrogen dioxide (NO<sub>2</sub>), and carbon monoxide (CO) concentrations would be below their corresponding *de minimis* thresholds or National Air Quality Ambient Standards (NAAQS), respectively. Therefore, construction of the proposed project would not result in significant adverse air quality impacts due to construction sources.

#### *NOISE*

In addition to noise control measures as required by the New York City Noise Control Code, construction of the proposed project would include measures such as the use of quieter equipment and the installation of partially enclosed structures to house the concrete pump and concrete mixer trucks as they access the pump and when they are washed out before leaving the site.

With these noise control measures in place, noise levels from project construction are expected to be comparable to those from typical New York City construction involving new building or buildings with concrete slab floors and

foundation on piles. Similarly, potential disruptions to adjacent residences and other receptors resulting from elevated noise levels generated by construction would be expected to be comparable to those that would occur immediately adjacent to a typical New York City construction site during the portions of the construction period when the loudest activities would occur.

The detailed analysis of construction noise concluded that construction pursuant to the proposed actions has the potential to result in construction noise levels that exceed CEQR Technical Manual construction noise screening threshold for an extended period of time at receptors within the rezoning area and surrounding the proposed construction work areas, including existing residential buildings within the rezoning area (i.e., 470 Lenox Avenue, 40 West 135th Street, 10 West 135th Street, 2186 Fifth Avenue, 25 West 132nd Street, and 45 West 132nd Street), Metropolitan African Methodist Episcopal (AME) Church, Harlem Hospital Center, 2235 Fifth Avenue, 2120 and 2140 Madison Avenue, 485 Malcolm X Boulevard, receptors along the south side of West 132nd Street between Lenox Avenue and 45 West 132nd Street, and receptors along the south side of West 132nd Street between 25 West 132nd Street and Fifth Avenue.

At proposed Building NW, which would be completed and occupied while other project construction is still ongoing, construction is predicted to result in interior noise levels exceeding the 45 dBA criterion considered acceptable by up to 19 dBA when the most noise-intensive construction activities would occur nearest to this building. At these receptors, construction could produce noise level increases that would be noticeable and potentially intrusive during the most noise-intensive nearby construction activities, and would produce noticeable increases over the course of construction. While the greatest levels of construction noise would not persist throughout construction, and the noise levels would fluctuate resulting in noise increases that would be intermittent, these locations would experience construction noise levels whose magnitude and duration could constitute significant adverse impacts.

At proposed project buildings other than Building NW that would be completed and occupied while other project construction is still ongoing, construction is predicted to result in interior noise levels exceeding the 45 dBA criterion considered acceptable by up to 6 dBA when the most noise-intensive construction activities would occur nearest to these buildings. While construction noise would be noticeable and potentially intrusive at times, the greatest predicted noise exposure would be temporary and intermittent, and would not occur during the evening or nighttime hours when residence are most sensitive to noise. Consequently, the predicted levels of construction noise exposure at these completed project elements would not constitute a significant adverse impact.

### *HISTORIC AND CULTURAL RESOURCES*

The proposed actions would result in a significant adverse impact associated with the demolition of the five one-story retail buildings on the proposed development site. In addition, should standard DOB controls governing the protection of adjacent properties during construction activities not provide sufficient protection, it is possible that redevelopment of the projected future development site and potential development site could result in significant adverse impacts on the Lenox Terrace historic resource during construction. The proposed actions would not be anticipated to result in significant adverse impacts to other historic and cultural resources in the study area, with the preparation and implementation of a Construction Protection Plan (CPP) to avoid inadvertent demolition and/or construction-related damage to resources within 90 feet of the proposed development site.

### **ALTERNATIVES**

#### *NO ACTION ALTERNATIVE*

The significant adverse impacts related to shadows, open space, historic resources, traffic, pedestrians, and construction-period noise would not occur under the No Action Alternative. As compared to the proposed actions, the applicant's intended public benefits associated with the proposed projects—the provision of a substantial amount of new permanently affordable housing, urban design improvements, including an enlivened streetscape with new retail spaces, and new private open space—would not occur in the No Action Alternative.

*NO UNMITIGATED SIGNIFICANT ADVERSE IMPACTS ALTERNATIVE*

No reasonable alternative could be developed which eliminates the proposed projects' unmitigated significant adverse impacts on open space, shadows, historic resources, pedestrians, and construction-period noise without substantially compromising the proposed project's stated goals.

**MITIGATION**

*SHADOWS*

Incremental shadows cast by the proposed project would be substantial enough in extent and duration to significantly affect the Howard Bennett Playground on the December 21 analysis day. Mitigation measures for the shadows impact and the open space impacts were developed in consultation with DCP and NYC Parks. Mitigation would consist of facility enhancements at the Howard Bennett Playground and the Hansborough Recreation Center. With the implementation of these mitigation measures, the shadows impact would be considered partially mitigated. As the significant adverse shadows impact would not be fully mitigated, the proposed actions would result in unmitigated significant adverse shadows impacts to this resource.

*OPEN SPACE*

In the 2026 With Action scenario, the study area open space ratios would decrease by approximately 4.87 percent for total open space, by 4.65 percent for passive open space, and by 4.96 percent for active open space. The reduction in open space ratios in the 2026 With Action scenario would be less than 5 percent, which is the threshold defined by the CEQR Technical Manual for identifying a quantified indirect open space impact; however, because the reduction in the active open space ratio is very close to 5 percent and the open space ratios in this area would continue to be quantitatively low in the No Action and With Action scenario, the reduction in the open space ratio would be considered a significant adverse indirect impact in the 2026 analysis year. Mitigation measures for the open space impact in the 2026 analysis year as well as the shadows impact described above were developed in consultation with DCP and NYC Parks and will consist of facility enhancements at the Howard Bennett Playground and the Hansborough Recreation Center. These measures, which would be the responsibility of the applicant, would consist of: (at the Howard Bennett Playground) replacement of asphalt surface in the playground area, and installation of painted games on the asphalt surface to replace the current painted map; replacement of play equipment in the northwest corner of the facility (Tot Lot area, as well as the play area for older children); replacement of the spray shower; upgrades to make the playground's comfort station ADA accessible and to fix the non-working drinking fountain; and (at the Hansborough Recreation Center) exercise equipment upgrades.

*HISTORIC AND CULTURAL RESOURCES*

The proposed project would result in significant adverse impacts to historic resources on the proposed development site. Mitigation measures to address this impact have been developed in consultation with the New York City Landmarks Preservation Commission (LPC). The applicant would enter into a Restrictive Declaration, which establishes environmental mitigation conditions as necessary for the proposed project. Partial mitigation would consist of both HABS Level II recordation of the complex and an interpretive program. The Historic American Building Survey (HABS) recordation and interpretive program shall be prepared in consultation with a qualified consultant that meets the Secretary of the Interior's Professional Qualifications Standards and would be installed at publicly-accessible locations within the site. The potential for a significant adverse direct, physical impact on the Lenox Terrace resource during construction of the projected future development site (the Metropolitan AME Church site) and the potential development site could not be avoided, as these sites are not under the control of the applicant.

*TRAFFIC*

In the 2023 With Action scenario there would be the potential for significant adverse traffic impacts at four intersections during the weekday AM peak hour, two intersections during the weekday midday peak hour, three intersections during the weekday PM peak hour, and four intersections during the Saturday peak hour. In the 2026 With Action scenario there would be the potential for significant adverse traffic impacts at five

intersections during the weekday AM peak hour, four intersections during the weekday midday peak hour, five intersections during the weekday PM peak hour, and six intersections during the Saturday peak hour. The locations where significant adverse traffic impacts are predicted to occur could be fully mitigated with the implementation of standard traffic mitigation measures (e.g., signal timing changes and lane restriping).

### *PEDESTRIANS*

Potential significant adverse pedestrian impacts were identified for one crosswalk during all four analysis peak hours in both the 2023 and 2026 With Action scenarios. The projected crosswalk impacts could not be fully mitigated using standard DOT-approved measures, and was therefore considered to be unmitigated.

### *CONSTRUCTION*

#### *Traffic*

The first quarter to third quarter of 2022 was identified as the peak construction traffic period for Phase 1 Construction, and the fourth quarter of 2024 was identified as the peak construction traffic period for Phase 2 Construction. For the 2022 Phase 1 construction With Action scenario, one of the analyzed intersections would be significantly impacted during the weekday 6 AM to 7 AM construction peak hour, and three of the analyzed intersections would be significantly impacted during the weekday 3 PM to 4 PM construction peak hour. For the 2024 Phase 2 construction With Action scenario, one of the analyzed intersections would be significantly impacted during the weekday 6 AM to 7 AM construction peak hour, and four of the analyzed intersections would be significantly impacted during the weekday 3 PM to 4 PM construction peak hour. These temporary construction period impacts could be fully mitigated by implementing standard traffic mitigation measures that are the same or similar to those recommended to mitigate the operational impacts.

#### *Pedestrians*

A detailed pedestrian analysis for Phase 1 construction was conducted for the south crosswalk at Lenox Avenue and West 135th Street, where impacts were identified in the operational pedestrian analysis. For Phase 2 construction, a detailed pedestrian analysis was prepared for the south crosswalk at West 135th Street and Lenox Avenue, as well as for the three sidewalks and one corner where incremental trips generated by the combination of construction and occupied new buildings would be greater than those generated by the full build-out of the proposed actions. Similar to the conclusions made for the operational pedestrian analyses, no significant adverse pedestrian impacts were identified for the three sidewalks and one corner. However, the south crosswalk of Lenox Avenue and West 135th Street would incur significant adverse pedestrian impacts which cannot be mitigated during the 6 AM to 7 AM and 3 PM to 4 PM construction peak hours during both Phase 1 and Phase 2 construction.

#### *Noise*

The proposed project would have the potential to result in significant adverse construction noise impacts at sensitive receptors in the vicinity of the proposed construction work areas. There would be no feasible and practicable mitigation measures for the identified significant adverse construction noise impacts at outdoor spaces (e.g., residential balconies). There would also be no feasible and practicable mitigation measures to further reduce noise levels at buildings or units that already have insulated glass windows and air conditioning units that have been identified as potentially experiencing significant adverse construction noise impacts. For impacted buildings that do not have insulated glass windows and alternate means of ventilation, the predicted impacts could be partially mitigated with receptor controls (i.e., storm windows and air conditioning units at residences that do not already have air conditioning).

### **UNAVOIDABLE SIGNIFICANT ADVERSE IMPACTS**

As described above, a number of the potential impacts identified for the proposed project could be mitigated. However, in some cases, impacts from the proposed project would not be fully mitigated.

### *SHADOWS*

Mitigation measures for the shadows impact at the Howard Bennett Playground on the December 21 analysis

day as well as the open space impact were developed in consultation with DCP and NYC Parks. With the implementation of these measures, the shadows impact would be considered partially mitigated. As the significant adverse shadows impact would not be fully mitigated, the proposed actions would result in unmitigated significant adverse shadows impacts to this resource.

#### *OPEN SPACE*

As discussed above, the reduction in the open space ratio in the 2026 With Action scenario would be considered a significant adverse indirect open space impact. Mitigation measures for the open space impact in the 2026 analysis year, as well as the shadows impact, were developed in consultation with DCP and NYC Parks. With the implementation of these measures, the open space impact would be considered partially mitigated. As the impact would not be fully mitigated, however, the proposed actions would result in an unavoidable significant adverse open space impact.

#### *HISTORIC AND CULTURAL RESOURCES*

The proposed project would result in significant adverse impacts to architectural resources on the proposed development site. Measures to partially mitigate this impact have been developed in consultation with LPC. As the significant adverse impact would not be fully mitigated, the proposed project would result in an unavoidable significant adverse impact to historic resources. The potential for significant adverse impacts on the Lenox Terrace historic resource during construction of the projected future development site and the potential development site could not be avoided, as these sites are not under the control of the applicant. As impacts to historic and cultural resources could not be fully mitigated, the proposed actions would result in unavoidable significant historic and cultural resource impacts.

#### *PEDESTRIANS*

As discussed above, the proposed project would result in a significant adverse impact to the south crosswalk at the intersection of West 135th Street and Lenox Avenue during all four analysis peak hours in both the 2023 and 2026 With Action scenarios. The projected crosswalk impacts could not be fully mitigated using standard DOT-approved measures. Therefore, the proposed project would result in an unavoidable significant adverse pedestrian impact.

#### *CONSTRUCTION*

Both Phase 1 and Phase 2 construction of the proposed project are expected to result in a significant unmitigated pedestrian impact to the south crosswalk at the intersection of West 135th Street and Lenox Avenue.

The detailed analysis of construction-period noise determined that construction of the proposed project has the potential to result in construction-period noise levels that would constitute significant adverse construction-period impacts at existing residential buildings within the rezoning area and residential buildings in the study area, as well as Metropolitan AME Church and Harlem Hospital Center. Additional control measures beyond those identified in the construction analysis were explored to determine if there are feasible and practicable measures that could mitigate the potential impacts. For units in the residential buildings within the rezoning area and study area that do not have alternate means of ventilation (i.e., air conditioning), the applicant would offer to provide through-window air conditioning units to allow for a closed-window condition. With the provision of such measures, the façades of these buildings would be expected to provide approximately 25 dBA window/wall attenuation. Even with these measures, however, interior  $L_{10(1)}$  noise levels at these buildings would at times during the construction period exceed the 45 dBA guideline recommended for residential and community spaces according to CEQR noise exposure guidelines. Because these impacts cannot be fully mitigated, the impacts would constitute an unavoidable impact. Furthermore, at the outdoor residential balconies of the residential buildings within the rezoning area and study area, there are no feasible or practicable mitigation measures to avoid the identified impacts. Therefore, at these receptors, the significant adverse construction noise would be unavoidable. However, as construction would not regularly occur during evening or weekend hours, the balconies would be free of construction noise during these times.



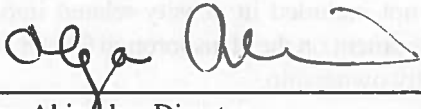
## **GROWTH-INDUCING ASPECTS OF THE PROPOSED ACTIONS**

The proposed project would be limited to the proposed development site. The proposed project would increase the density of the proposed development site by introducing up to 1,642 new DUs; approximately 135,500 gsf of commercial space; and approximately 15,055 gsf of community facility space. In addition, this EIS considers the potential future development of Lot 65 with approximately 69 new DUs and 6,968 gsf replacement community facility use. As described above, development of the Kennedy Center site under the rezoning is unlikely in the foreseeable future, and thus this site is not included in density-related impact assessments. The proposed actions are not anticipated to induce development on the Hansborough Center site, given the long-standing community facility use on this site and its City ownership.

While the proposed actions could add new population with a higher average household income as compared with existing study area households, the proposed project would not directly displace existing residential tenants, and the proposed actions would not result in socioeconomic changes that would alter the residential market in a manner that would lead to notable project-generated rent pressures. There is already a readily observable trend toward higher incomes and new residential development in the study area. According to the 2012–2016 ACS, average and median gross rents have been increasing in the study area since 2000. In particular, the study area gross rents increased at significantly greater rates than that of Manhattan and New York City. Therefore, the proposed project is not expected to introduce or accelerate a trend of changing socioeconomic conditions. In addition, the proposed actions would not include the introduction or expansion of infrastructure capacity (e.g., sewers, central water supply) that would result in indirect development; any proposed infrastructure improvements would be made to support development of the proposed development site itself. Therefore, the proposed actions is not expected to induce any significant additional growth beyond that identified and analyzed in this EIS.

## **IRREVERSIBLE AND IRRETRIEVABLE COMMITMENTS OF RESOURCES**

The proposed project constitutes an irreversible and irretrievable commitment of portions of the proposed development site as a land resource, thereby rendering land use for other purposes infeasible, at least in the near term. These commitments of land resources and materials are weighed against the benefits of the proposed project. As described above, the proposed project would create up to 493 affordable DUs on the proposed development site; in addition, it is possible that up to 21 units of affordable housing could be created on the projected future development site with the proposed actions. While development of the Kennedy Center site under the proposed actions is unlikely in the foreseeable future, the EIS considers this property as a potential development site, and it is possible that affordable housing also could be created on this site at some point in the future. This affordable housing would contribute to the housing production goals of the Mayor's *Housing New York: A Five-Borough, Ten-Year Plan*. The proposed development also would create more than six acres of outdoor recreation space for tenants. The proposed actions would allow for the provision of a variety of retail uses on the proposed development site, while the large-scale special permit would cap overall development on the proposed development site at 5.61 FAR.



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